

8. (amended) The implement as recited in claim 7 wherein:  
the first baffle carries a second baffle thereon for shielding material projected  
by the at least one of the blades from exiting the implement upon being contacted  
thereby.

9. (amended) The implement as recited in claim 8 wherein:  
the second baffle is adjustable so as to align with a bottom portion of the  
generally vertically extending section so as to also extend into the cutting planes of  
both the first and second blades.

### Remarks/Arguments

Pending in the application as amended in response to the Office Action identified as Paper No. 7 and dated 16 September 2002 are claims 1-9. Indication of changes which have been made to the specification and claims are shown on the attachment entitled "Version with Markings to Show Changes Made".

### Claim Rejections under 35 USC § 112

In paragraph 1, the Examiner has quoted 35 USC § 112, second paragraph. In paragraph 2, the Examiner has applied the aforementioned paragraph and rejected claims 6-9 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner rejected claims 6-7. Applicant has made what is believed to be an appropriate response to the bases of rejection as noted in the Office Action; such correction can be seen in the amended claims. Further clarification regarding the dependency of claims 8-9 can also be seen in the amended version. Withdrawal of these rejections is kindly requested.

### Claim Rejections under 35 USC § 102

In paragraph 3, the Examiner has quoted 35 USC § 102(b). In paragraph 4, the aforementioned has been applied in the rejecting claims 1-9 whereby such claims are said to be anticipated by Kuhn.

Applicant has amended claim 1 to further provide that, in regard to the front edge of the cutting implement that is claimed, the "... vertically extending section . . ." thereof is "... *formed as a portion of the front edge of one of the chambers and*

~~depend[s] therefrom such that it extends to a point that is lower than a second portion of the front edge . . .", (emphasis added).~~ Support may be found in paragraph 21 of the specification.

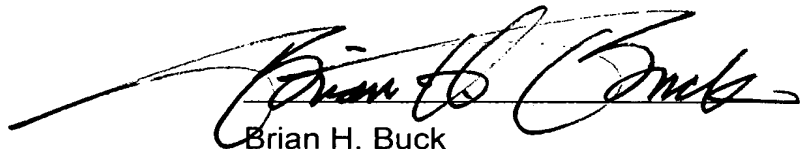
In contrast, Kuhn teaches a spindle housing 110 that is constructed to carry portions 143 and 170 for the achievement of the functions as described therein. Such portions, however, are portable components that are available for attachment to the housing. Furthermore, Kuhn is deficient in any teaching, which is either implicit or explicit as is required for a proper rejection under 35 U.S.C. 102, of a portion of the housing, *itself*, that is vertically lower than another portion thereof. Accordingly, it is believed that the application of Kuhn is misguided since Applicants' claimed invention, as originally presented and now as amended, contemplates a one-piece construction in achieving the functions as described in the specification. Thus, it is kindly requested that the rejection(s) be withdrawn.

In view of the above, it is believed that the claims, as they are now submitted, are in condition for allowance; accordingly, such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Two duplicates of this page are enclosed.

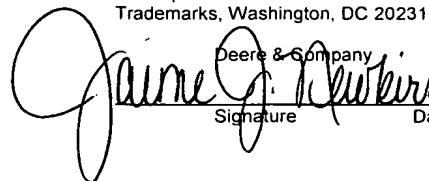
Respectfully,



Brian H. Buck

Brian H. Buck  
Reg. No. 48,776  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-4371

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on 12 December 2002  
Date

 12 December 2002  
Deere & Company  
Signature Date



"Version with Markings to Show Changes Made"

RECEIVED  
DEC 18 2002  
GROUP 3

**In the Specification:**

1. Paragraph [0010] includes the following change(s):

Specifically, the first of the two above devices is provided in the form of a lip that is made integral with, or as one-piece of, the front edge of the deck. The lip is extended vertically downwardly [into] to the level of the cutting plane of, particularly, the center blade. Moreover, it is constructed to sit off to the left of the midpoint of the center blade. It is in this area that the streams of cut material from the two adjacent blades converge. Positioning the lip in this manner substantially decreases the likelihood that vegetation which has been cut and debris that has been disturbed will escape from the center chamber, and thus the deck itself.

2. Paragraph [0020] includes the following change(s):

Referring now to Figures 3 and 4, it can be seen that the underside 40 of the deck includes a lip 42 at the front edge 44 thereof and, particularly, at the front edge 46 of the center chamber 28. As can be understood from the figures, the lip 42 is provided as part of the construction of the deck 18 and does not bow laterally outwardly any more than any other part of the deck's edge 44 except to the extent that the curvature along a specific length of [that] the front edge 46 of the center chamber 28 may require. Construction of the lip 42 in this manner permits decreased contact with vegetation in the implement's travel path so as to permit the center blade 34 to be as effective as possible in being able to adequately lift and cut that vegetation.

3. Paragraph [0023] includes the following change(s):

Still referring to Figures 4 and 5, the baffle 54 is constructed to carry a second baffle or plate 60 thereon, the positioning of which is to the left of the lip 42 and center line of the center blade 34. This second baffle 60 is provided to be adjustable within and is securable to the first baffle 54 at its mounting slots 62 with bolts 64. Adjustably securing the baffle 60 in this manner and location allows it to

be extended ~~[into]~~ to the level of the cutting planes of both the left and center blades 32 and 34 ~~[to a point where it can be]~~ such that it is even with the bottom edge 66 of the lip 42. With such an extension capability, the baffle 54 is effectively a continuation of the lip 42 in an area in which blowout of drier vegetation and other debris is likely and has been most frequently noticed. Additionally, the center blade 34 and left blade 32 will conduct the same forward and rearward sweeps mentioned in relation to the lip 42.

**In the claims:**

Amendment(s) to claims 1-2, 6 and 8-9 is/are shown below.

We claim:

1. (amended) A cutting implement usable with a vehicle having front and rear wheels, the implement comprising:

a) first and second cutting chambers positioned near one another, each of the chambers having a laterally extending front edge on an exterior thereof;

b) first and second cutting blades centered within each of the first and second chambers and rotatable therein to define a cutting plane along which vegetation may be cut; and

c) a generally vertically extending section [depending from and] formed [on] as a portion of the front edge of one of the chambers and depending therefrom such that it extends to a point that is lower than a second portion of the front edge, the section serving to substantially shield the vegetation and other debris from exiting the implement after being contacted by at least one of the blades therein.

2. (amended) The implement as recited in claim 1 wherein:

the section extends ~~[into]~~ to the level of the cutting plane of the at least one of the blades.

6. (amended) The implement as recited in claim 5 wherein:

the first baffle is arcuately shaped and spans portions of both the first and second chambers.

8. (amended) The implement as recited in claim [8] 7 wherein:  
the first baffle carries a second baffle thereon for shielding material projected  
by the at least one of the blades from exiting the implement upon being contacted  
thereby.

9. (amended) The implement as recited in claim [9] 8 wherein:  
the second baffle is adjustable so as to align with a bottom portion of the  
generally vertically extending section so as to also extend into the cutting planes of  
both the first and second blades.